

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHABTAI SCOTT SHATSKY, et al.,)
)
Plaintiffs,)
)
v.) Civil Action No.
) 1:02-CV-02280 (RJL)
THE SYRIAN ARAB REPUBLIC, et al.,)
)
Defendants.)
_____)

VIDEOCONFERENCE DEPOSITION OF

YASSER SHAQBU'A

JERUSALEM, ISRAEL

SEPTEMBER 12, 2012

REPORTED BY: AMY R. KATZ, RPR

SEPTEMBER 12, 2012 - YASSER SHAQBU'A

16:22:14 1 categories, my point is simply that, to the extent that
16:22:28 2 Mr. Shaqbu'a is here to testify regarding financial
16:22:34 3 transactions, if any, that might be responsive to
16:22:39 4 Categories 1 and 2, there simply may be overlap with
16:22:56 5 the financial aspects of Categories 3 and 4, depending
16:23:10 6 upon what questions you ask, unfortunately's, Categories
16:23:21 7 1, 2, 3, and 4 are very overbroad and vague.

16:23:40 8 MR. SCHOEN: Let's just leave it that I have
16:23:43 9 a continuing objection to that kind of characterization,
16:23:46 10 and I'm not going to respond each time to such a
16:23:51 11 characterization.

16:23:51 12
16:23:51 13 (The following proceedings were conducted
16:23:51 14 through the official Arabic interpreters, unless
16:23:51 15 otherwise indicated.)
16:23:51 16

16:23:51 17 EXAMINATION

16:24:03 18 BY MR. SCHOEN:

16:24:03 19 Q. Okay. Mr. Shaqbu'a, could you tell us your
16:24:07 20 full name, please.

16:24:12 21 A. My name is Yasser Musa Hassan Shaqbu'a.

16:24:19 22 Q. How old are you?

16:24:25 23 A. 46 years old.

16:24:29 24 Q. Where do you live?

16:24:34 25 A. I live in Amman.

16:26:53 1 Q. After 1989, or after you got your degree, you
16:26:57 2 returned to Amman to live?

16:27:12 3 A. I returned to Amman, and I started to work.
16:27:14 4 And I worked in the Palestinian National Fund starting
16:27:25 5 from December 1, 1989.

16:27:28 6 Q. And you've been employed by the Palestine
16:27:31 7 National Fund since December 1, 1989, until today?

16:27:48 8 A. Yes, until today.

16:27:50 9 Q. Have you had any other job since 1989?

16:28:03 10 A. I had some -- I had some private works,
16:28:07 11 a private company.

16:28:09 12 Q. What's the -- what kind -- what kind of
16:28:13 13 private --

16:28:19 14 A. It was in accounting and computer services.

16:28:26 15 Q. When did you have those jobs?

16:28:37 16 A. This was in addition to my regular position.

16:28:42 17 Q. Okay.

16:28:45 18 A. From 1993 until 1997.

16:28:49 19 Q. Okay. And other than 1985 until 1989, you
16:28:56 20 have always lived in Amman?

16:29:08 21 A. Yes.

16:29:08 22 Q. As an employee of the -- I'm going to call
16:29:16 23 it "PNF" for the "Palestine National Fund."

16:29:20 24 As an employee -- oh, sorry. Go ahead.

16:29:23 25 (Last comment by counsel translated.)

16:29:23 1 Q. BY MR. SCHOEN: Who pays your salary?

16:29:32 2 A. I receive my salary from the Fund, the
16:29:43 3 National Fund.

16:29:44 4 Q. You get a check from the PNF?

16:29:51 5 A. Yes.

16:29:53 6 Q. Does the PA -- I'm going to call the "PA"
16:29:58 7 for "Palestine Authority."

16:30:03 8 Does the PA have any role in paying your
16:30:06 9 salary?

16:30:12 10 A. Yes.

16:30:12 11 Q. What is --

16:30:12 12 THE COURT REPORTER: Counsel, I'm sorry to
16:30:12 13 interrupt. I just realized something. You all gave
16:30:12 14 your appearances, and I haven't affirmed the witness.

16:30:12 15 MR. SCHOEN: Aah, okay. I'm sorry.

16:30:28 16 On this end, we have to have the witness
16:30:31 17 sworn or affirmed.

16:30:47 18 THE COURT REPORTER: And the interpreters.

16:30:47 19 THE WITNESS: I promise to tell the truth,
16:30:47 20 all the truth.

16:30:47 21 THE COURT REPORTER: I have to swear the
16:30:47 22 interpreters first.

23 //

24 //

25 //

1 ALBERT AGHAZARIAN

2 -and-

3 DOV RABINOVITCH,

4 the Official Arabic Interpreters, were
5 duly affirmed to translate from English
6 to Arabic and from Arabic to English.

7

8 YASSER SHAQBU'A,

9 called as a witness, being first duly
10 affirmed, was examined and testified
11 as hereinafter set forth.

12

16:31:16 13 Q. BY MR. SCHOEN: And that applies to all
16:31:18 14 testimony you've given so far also; correct?

16:31:25 15 A. Yes. Correct.

16:31:26 16 Q. Okay. What role does the PA play in the
16:31:32 17 paying of your salary?

16:31:43 18 A. I want here to clarify a certain matter. The
16:31:54 19 PNF was established in 1964, and the PA came into being
16:32:10 20 in 1993 after the Oslo agreement. The PA, through the
16:32:30 21 Ministry of Finance, finances the PNF since 1994.

16:32:36 22 Q. Okay. And the Ministry -- oh, sorry.

16:32:51 23 A. And the PNF specialized in funding PLO
16:32:57 24 activities outside the Palestinian territories,
16:33:04 25 including the offices and the embassies across the

16:33:08 1 world. So the span of life of the PNF is much longer
16:33:22 2 than the span of life of the PA, essentially. This
16:33:28 3 is what I needed to clarify.

16:33:31 4 Q. There might have been a translation mistake.
16:33:35 5 I wrote down when you said the PNF was established
16:33:42 6 in '94 --

16:33:50 7 CHECK INTERPRETER HAZOU: "'64."

16:33:52 8 MR. SCHOEN: Not a translation mistake.
16:33:48 9 My mistake.

16:33:49 10 THE WITNESS: 1964.

16:33:57 11 MR. SCHOEN: And the translator said it
16:34:01 12 correctly at the time, and I wrote it down wrong.

16:34:08 13 Q. BY MR. SCHOEN: Now, Mr. Shaqbu'a, I heard
16:34:11 14 you say the PNF funds PLO activities outside Palestinian
16:34:21 15 territories; is that correct?

16:34:33 16 A. Yes.

16:34:34 17 Q. And only those activities that occur outside
16:34:38 18 the Palestinian territories; correct?

16:34:50 19 MR. McALEER: Objection to form.

16:34:51 20 THE WITNESS: Yes.

16:34:52 21 Q. BY MR. SCHOEN: And by "Palestinian
16:34:54 22 territories," you're referring to what's known as
16:34:59 23 the West Bank and the Gaza Strip?

16:35:06 24 A. Yes.

16:35:11 25 Q. The Ministry of Finance that you refer to,

16:35:18 1 is that the PA's Ministry of Finance?

16:35:29 2 A. Yes. The Ministry of Finance, which is
16:35:31 3 part -- which is under the PA.

16:35:36 4 Q. Is there an agency under the PA that funds
16:35:41 5 PLO activities inside the Palestinian territories?

16:36:12 6 A. No. Before the establishment of the PA, the
16:36:16 7 National -- the PNF was the funder of all activities
16:36:21 8 of the PLO.

16:36:23 9 Q. And after the establishment of the PA, is
16:36:28 10 there an agency that funds the activities of the PLO
16:36:38 11 inside the Palestinian territories?

16:36:53 12 A. The activities in the West Bank and the
16:36:55 13 Gaza Strip is not part of the mandate of the PNF.
16:37:06 14 And I want to ask here what kind of activities you're
16:37:10 15 talking about, or functions.

16:37:12 16 Q. I was just using the term you used.

16:37:24 17 Mr. Shaqbu'a, what is your position in the
16:37:27 18 PNF?

16:37:33 19 A. I am the head of public accounts, the manager.

16:37:41 20 Q. Can you tell me what jobs you have held with
16:37:43 21 the PNF since you started there in 1989 and when you
16:37:58 22 held each job?

16:38:17 23 A. For less than three years, two years, some,
16:38:21 24 I was working within the management of embassies abroad.
16:38:32 25 After that, I was transferred into the management of

17:37:31 1 THE WITNESS: Absolutely not. But -- but you
17:37:40 2 asked me until 2002. That was your question.

17:37:49 3 Q. BY MR. SCHOEN: Before 2009, did the PNF pay
17:38:02 4 the expenses for the PLO Executive Committee member
17:38:09 5 offices?

17:38:16 6 A. No.

17:38:21 7 MR. SCHOEN: He said something after that.

17:38:23 8 OFFICIAL INTERPRETER RABINOVITCH: "Absolutely
17:38:25 9 not."

17:38:28 10 Q. BY MR. SCHOEN: Prior to 2009, did the PNF
17:38:32 11 pay any expense -- strike the word "expense."

17:38:42 12 Prior to 2009 -- prior to 2009, did the PNF
17:38:53 13 pay any money to the PLO in connection with any PLO
17:39:05 14 activity inside the Palestinian territories?

17:39:20 15 A. Before 2009, all the expenses for these
17:39:26 16 offices were covered by the Finance Ministry --

17:39:30 17 Q. By the --

17:39:33 18 A. -- and not through the PNF.

17:39:37 19 Q. The PA's Finance Ministry paid all expenses
17:39:40 20 of the PLO inside the West Bank prior to 2009?

17:39:54 21 A. Yes.

17:39:56 22 Q. The PA's -- that was a confusing question,
17:40:00 23 maybe.

17:40:01 24 The PA's Finance Ministry paid for all PLO
17:40:11 25 activities, all PLO expenses, inside the West Bank

17:40:23 1 prior to 2009; correct?

17:40:28 2 MR. McALEER: Objection. Beyond the scope.

17:40:32 3 Q. BY MR. SCHOEN: Is that right?

17:40:34 4 A. Yes. Yes.

17:40:39 5 Q. Is your answer the same with respect to PLO
17:40:42 6 activities or expenses in the Gaza Strip prior to 2009?

17:40:56 7 MR. McALEER: Same objection.

17:41:07 8 THE WITNESS: There isn't any office in Gaza
17:41:10 9 which represents the PLO.

17:41:12 10 Q. BY MR. SCHOEN: Okay. So does the PA pay
17:41:16 11 any money to any office operating in Gaza or for any
17:41:19 12 activity in Gaza that you're aware of?

17:41:31 13 MR. McALEER: Same objection.

17:41:33 14 THE WITNESS: Absolutely not.

17:41:34 15 Q. BY MR. SCHOEN: Okay. Does the -- if you
17:41:39 16 know, today, does the PNF pay any money to Mr. Abdel
17:41:50 17 Rahim Malouh?

17:41:51 18 A. Absolutely not.

17:42:02 19 Q. Does the PNF pay Mr. Malouh any salary?

17:42:14 20 A. No.

17:42:15 21 Q. Are you aware that Mr. Malouh is a member of
17:42:19 22 the PLO Executive Committee?

17:42:31 23 A. To the best of my knowledge, not actually now.
17:42:43 24 Currently, the Executive Committee members do not touch
17:42:47 25 any salaries from the PNF.